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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/647,298

08/26/2003

Ryoji Watanabe

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EXAMINER

POPOVICI, DOV

ART UNIT

PAPER NUMBER

2625

MAIL DATE

DELIVERY MODE

06/04/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/647,298	WATANABE ET AL.	
	Examiner	Art Unit	
	Dov Popovici	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04/01/2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 4-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>02/15/2008</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2 and 9-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Tanaka Akira et al. (JP 2000285203).

As to claim 1, Tanaka Akira et al. discloses an image process system comprising: an image display member (paper incorporating an IC chip; see abstract, pages 1-2, paragraph 0013-0015 and pages 8-9, paragraph 0073) on which an image is displayed; and an image process apparatus, wherein: the image display member includes a data storage unit (IC chip see abstract, pages 1-2, paragraph 0013-0015 and page 8-9, paragraph 0073) for storing data, and the image process apparatus includes: a image read unit (IC reader/writer 50) for reading the displayed image; a data input/output unit (IC reader/writer 50) for reading the stored data; and an image process unit for synthesizing the read image with the read data (see abstract, see figures 24 and 34, and pages 8-9, paragraphs 0073, pages 13-14, paragraphs 0125-0128, and page 15, paragraphs 0140-0143).

As to claim 2, Tanaka Akira et al. discloses an image process apparatus comprising: a image read unit (IC reader/writer 50) for reading an image displayed on an image display member (paper incorporating an IC chip; see abstract; pages 1-2,

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paragraph 0013-0015 and pages 8-9, paragraph 0073); a data input/output unit (IC reader/writer 50) for reading data stored in a data storage unit (IC chip) included in the image display member; and an image process unit for synthesizing the read image with the read data (see abstract, see figures 24 and 34, and pages 8-9, paragraphs 0073, pages 13-14, paragraphs 0125-0128, and page 15, paragraphs 0140-0143).

As to claim 9, Tanaka Akira et al. discloses an image process method comprising: reading data (see abstract; IC reader/writer 50 reads out electronic data from the IC part; and see pages 1-2, paragraph 0013-0015 and pages 8-9, paragraph 0073) stored in a data storage unit (IC chip) in an image display member; (image display member reads on: the paper incorporating an IC chip; see abstract and pages 1-2, paragraph 0013-0015 and pages 8-9, paragraph 0073); reading an image displayed on the image display member; and synthesizing the read image with the read data (see abstract, see figures 24 and 34, and pages 8-9, paragraphs 0073, pages 13-14, paragraphs 0125-0128, and page 15, paragraphs 0140-0143).

As to claim 10, Tanaka Akira et al. discloses writing another data into the data storage unit (IC chip) in the image display member (see abstract, IC reader/writer 50 records converted electronic data in an IC part 3 of paper incorporating the IC chip and see pages 1-2, paragraph 0013-0015 and pages 8-9, paragraph 0073 and pages 13-14, paragraphs 0125-0128, and page 15, paragraphs 0140-0143).

As to claim 11, Tanaka Akira et al. discloses a computer-readable medium encoded with a computer program making a computer perform a process comprising: reading data (see abstract; IC reader/writer 50 reads out electronic data from the IC

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part) stored in a data storage unit (IC chip) in an image display member (image display member reads on: the paper incorporating an IC chip; see abstract and see pages 1-2, paragraph 0013-0015 and pages 8-9, paragraph 0073); reading an image displayed on the image display member (see abstract and see pages 1-2, paragraph 0013-0015 and pages 8-9, paragraph 0073); and synthesizing the read image with the read data (see abstract, see figures 24 and 34, and pages 8-9, paragraphs 0073, pages 13-14, paragraphs 0125-0128, and page 15, paragraphs 0140-0143).

As to claim 12, Tanaka Akira et al. discloses wherein the process further includes: writing another data into the data storage unit (IC chip) in the image display member (see abstract, IC reader/writer 50 records converted electronic data in an IC part 3 of paper incorporating the IC chip and see pages 1-2, paragraph 0013-0015 and pages 8-9, paragraph 0073).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka Akira et al. (JP 2000285203).

As to claim 4, Tanaka Akira et al. discloses wherein: the data input/output unit (IC reader/writer 50) performs at least one of reading the data stored in the accumulated

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image display member and writing another data into the accumulated image display member.

Tanaka Akira et al. does not teach an original accumulation unit for accumulating the image display member; and a transport unit for transporting the accumulated image display member to a position where the displayed image is read.

The examiner is taking official notice that a copier and/or a copy machine which includes an original accumulation unit for accumulating the image display member or original paper; and a transport unit for transporting the accumulated image display member or original paper to a position where the displayed image is read are well known in the photo copying and/or copier art and technology.

Therefore, it would have been obvious to one person having ordinary skill in the art at the time the invention was made to have modified Tanaka Akira et al. apparatus to include: an original accumulation unit for accumulating the image display member or original paper; and a transport unit for transporting the accumulated image display member or original paper to a position where the displayed image is read.

It would have been obvious to one person having ordinary skill in the art at the time the invention was made to have modified Tanaka Akira et al. apparatus to include an original accumulation unit for accumulating the image display member or original paper; and a transport unit for transporting the accumulated image display member or original paper to a position where the displayed image is read so that multiple original papers can be accumulated and transport to the scan area to be read automatically,

therefore, relieve the user(s) or operator(s) from having to singularly feed the original paper to the apparatus to be read and/or scanned, whereby, in a large job having a large number of original papers to be read and/or scanned, the accumulation unit and the transport unit can accumulate, transport, deliver and handle the multiple original papers, without user(s) intervention.

As to claim 5, Tanaka Akira et al. as modified discloses wherein when the accumulated image display member is a plurality of image display members, the data input/output unit (IC reader/writer 50) reads or writes the data stored in a plurality of data storage units corresponding to the plurality of image display members.

As to claim 6, Tanaka Akira et al. as modified discloses further comprising: a display unit (printer or output unit 40 see page 3 of 23 paragraphs 0021 and 0022) for displaying the read data, wherein: when the image display member is accumulated at the original accumulation unit, the data input/output unit reads the stored data.

As to claims 7-8, Tanaka Akira et al. discloses wherein: the data input/output unit (IC reader/writer 50) reads or writes the data stored in the data storage unit (IC chip) in the image display member.

Tanaka Akira et al. does not teach a transport unit for transporting the accumulated image display member to a position where the displayed image is read, wherein: the data input/output unit reads or writes the data stored in the data storage unit in the image display member being transported, and a fix unit for fixing the image display member at a position where the displayed image is read, wherein: the data

input/output unit reads or writes the data stored in the data storage unit in the fixed image display member.

The examiner is taking official notice that a copier and/or a copy machine which includes a transport unit for transporting the accumulated image display member or the original paper to a position where the displayed image is read, and a fix unit for fixing the image display member or the original paper at a position where the displayed image is read are well known in the photo copying and/or copier art and technology.

Therefore, it would have been obvious to one person having ordinary skill in the art at the time the invention was made to have modified Tanaka Akira et al. apparatus to include: a transport unit for transporting the accumulated image display member to a position where the displayed image is read, wherein: the data input/output unit reads or writes the data stored in the data storage unit in the image display member being transported, and a fix unit for fixing the image display member at a position where the displayed image is read, wherein: the data input/output unit reads or writes the data stored in the data storage unit in the fixed image display member.

It would have been obvious to one person having ordinary skill in the art at the time the invention was made to have modified Tanaka Akira et al. apparatus to include a transport unit for transporting the accumulated image display member to a position where the displayed image is read, wherein: the data input/output unit reads or writes the data stored in the data storage unit in the image display member being transported, and a fix unit for fixing the image display member at a position where the displayed

image is read, wherein: the data input/output unit reads or writes the data stored in the data storage unit in the fixed image display member, so that multiple original papers or image display members can be transported and hold or fixed at the scanning position area to be read automatically, therefore, relieving the user and/or operator from having to feed or singularly feed the original paper or the image display member to the apparatus to be read or scanned, whereby, in a large job having a large number of original papers to be read or scanned, the transport unit and the fix unit can accumulate, transport, deliver and handle the multiple original papers or image display members to the position where data can be read or written into the IC chip, without any user intervention, and automatically.

Response to Arguments

Applicant's arguments filed 04/01/2008 have been fully considered but they are not persuasive.

With respect to applicant comments regarding providing English translation of the Akira reference. Applicant is directed to the IDS submitted on 08/26/2003 by the applicant, which cited the Akira reference (JP 2000-285203). It should be noted that the cited Akira reference already includes an English translation provided by applicant on pages 1-48 of pages 1-76.

With respect to applicant argument that Akira does not disclose or suggest an image process unit for synthesizing the read image with the read data, as recited in claim 1 and similarly recited in claims 2, 9 and 11. Applicant argument has been fully

considered but is not found to be persuasive because Tanaka Akira et al. discloses an image process unit for synthesizing the read image with the read data (see the abstract, see figures 24 and 34, and pages 8-9, paragraphs 0073, pages 13-14, paragraphs 0125-0128, and page 15, paragraphs 0140-0143). In drawings or figures 24 and 34, it is shown that element 4143 synthesizes or combines the outputs from IC chip 3 and data 2. See pages 8-9, paragraphs 0073, pages 13-14, paragraphs 0125-0128, and page 15, paragraphs 0140-0143. On pages 8-9, paragraph 0073, Akira discloses *"The information addressees 4143 are those who acquire information from the paper 1 containing IC chip, they read visually about the information printed by the paper portion 2, recognize the contents of information, and recognize the contents of information through the output of the information output unit 4142 about the information recorded on the IC portion 3."* Therefore, Akira discloses an image process unit for synthesizing the read image with the read data, as recited in claim 1 and similarly recited in claims 2, 9 and 11.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dov Popovici whose telephone number is 571-272-4083. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on 571-272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Primary Examiner
Art Unit 2625

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